

NPDES Permit No. IL0075965  
Notice No. 15081701tjf

Public Notice Beginning Date: **September 24, 2015**

Public Notice Ending Date: **October 26, 2015**

National Pollutant Discharge Elimination System (NPDES)  
Permit Program

Draft Reissued NPDES Permit to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

Illinois EPA  
Bureau of Water  
Division of Water Pollution Control  
Permit Section  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
217/782-0610

Name and Address of Discharger:

Valley View Industries, Inc.  
8785 East 2500 North Road  
Cornell, Illinois 61319

Name and Address of Facility:

Shale Quarry II  
24750 N. 825 East Road  
Cornell, Illinois 61319  
(Livingston County)

The Illinois Environmental Protection Agency (IEPA) has made a tentative determination to issue a NPDES Permit to discharge into the waters of the state and has prepared a draft Permit and associated fact sheet for the above named discharger. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice/Fact Sheet. The last day comments will be received will be on the Public Notice period ending date unless a commentor demonstrating the need for additional time requests an extension to this comment period and the request is granted by the IEPA. Interested persons are invited to submit written comments on the draft permit to the IEPA at the above address. Commentors shall provide his or her name and address and the nature of the issues proposed to be raised and the evidence proposed to be presented with regards to those issues. Commentors may include a request for public hearing. Persons submitting comments and/or requests for public hearing shall also send a copy of such comments or requests to the permit applicant. The NPDES permit and notice number(s) must appear on each comment page.

The application, engineer's review notes including load limit calculations, Public Notice/Fact Sheet, draft permit, comments received, and other documents are available for inspection and may be copied at the IEPA between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

If written comments or requests indicate a significant degree of public interest in the draft permit, the permitting authority may, at its discretion, hold a public hearing. Public notice will be given 45 days before any public hearing. Response to comments will be provided when the final permit is issued. For further information, please call Thaddeus Faught at 217/782-0610.

The applicant is engaged in operation of a shale quarry (SIC1459). Plant operation results in an average discharge of 0.105 MGD of stormwater and pit pumpage from outfall 001.

Application is made for existing discharge(s) which is located in Livingston County, Illinois. The following information identifies the discharge point, receiving stream and stream classifications:

Outfall	Receiving Stream	Latitude		Longitude		Stream Classification	Biological Stream Characterization
001	Scattering Point Creek	40°59'8.6"	North	88°46'41.9"	West	General Use	B

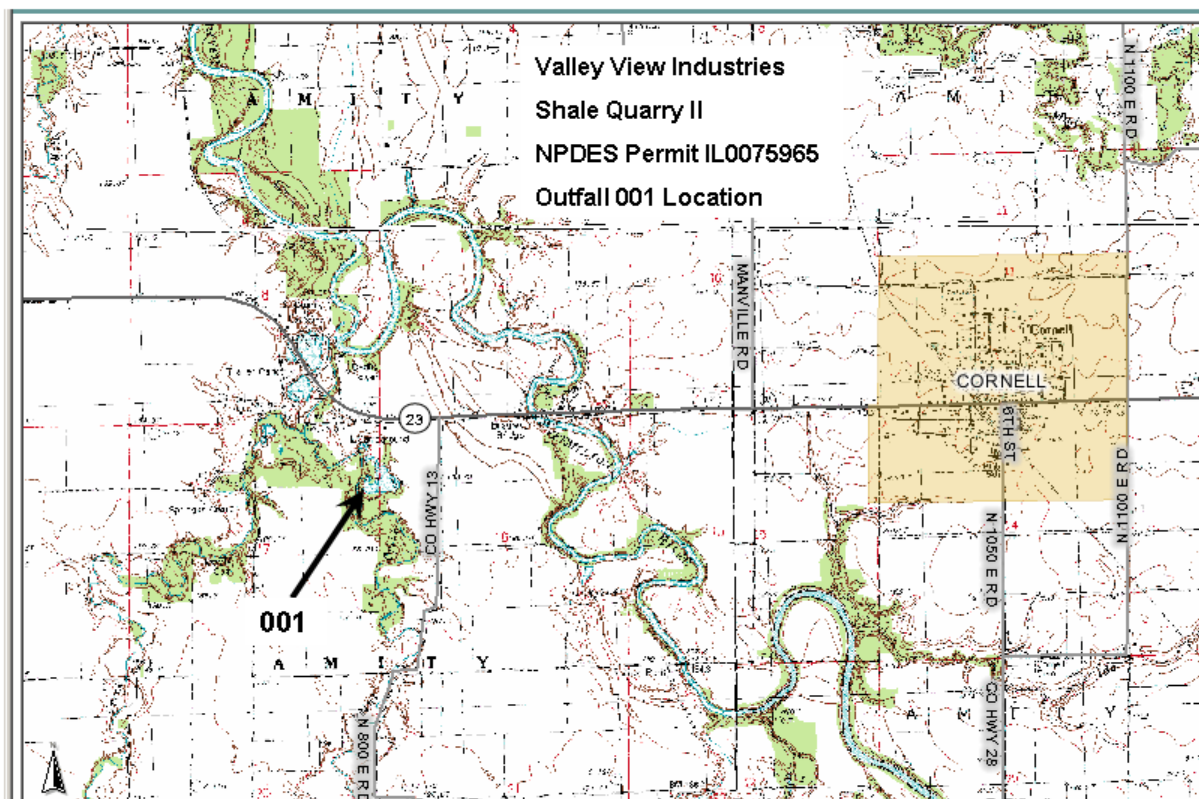
To assist you further in identifying the location of the discharge please see the attached map.

The stream segment receiving the discharge from outfall(s) 001 is not on the 2014 303 (d) list of impaired waters.

The discharge(s) from the facility shall be monitored and limited at all times as follows:

Outfall: 001

PARAMETER	LOAD LIMITS lbs/day DAF (DMF)		REGULATION	CONCENTRATION LIMITS mg/l		REGULATION
	30 DAY AVERAGE	DAILY MAXIMUM		30 DAY AVERAGE	DAILY MAXIMUM	
Total Suspended Solids				35	70	406.106
pH	Shall be in the Range of 6-9 Standard Units					406.106
Offensive Conditions	No effluent shall contain settleable solids, floating debris, visible oil, grease, scum or sludge solids, color, or odor. Turbidity shall be below obviously visible levels.					406.107



NPDES Permit No. IL0075965

Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue East

Post Office Box 19276

Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Re-issued (NPDES) Permit

Expiration Date:

Issue Date:

Effective Date:

Name and Address of Permittee:

Valley View Industries, Inc.  
8785 East 2500 North Road  
Cornell, Illinois 61319

Facility Name and Address:

Shale Quarry II  
24750 N. 825 East Road  
Cornell, Illinois 61319  
Livingston County

Discharge Number and Name:

001 stormwater & pit pumpage

Receiving Waters:

Scattering Point Creek

In compliance with the provisions of the Illinois Environmental Protection Act, Title 35 of Ill. Adm. Code, Subtitle C and/or Subtitle D, Chapter 1, and the Clean Water Act (CWA), the above-named permittee is hereby authorized to discharge at the above location to the above-named receiving stream in accordance with the standard conditions and attachments herein.

Permittee is not authorized to discharge after the above expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit the proper application as required by the Illinois Environmental Protection Agency (IEPA) not later than 180 days prior to the expiration date.

Alan Keller, P.E.  
Manager, Permit Section  
Division of Water Pollution Control

SAK:TJF:15081701tjf

NPDES Permit No. IL0075965

Special Conditions

NPDES Permit No. IL0075965

Effluent Limitations and Monitoring

From the effective date of this permit until the expiration date, the effluent of the following discharge(s) shall be monitored and limited at all times as follows:

Outfall: 001

PARAMETER	LOAD LIMITS lbs/day DAF (DMF)			CONCENTRATION LIMITS mg/l			SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE		DAILY MAXIMUM	30 DAY AVERAGE		DAILY MAXIMUM		
Flow (MGD)							**	
Total Suspended Solids				35		70	***	****
pH	Shall be in the Range of 6 to 9 Standard Units.						1 per month	Grab
Offensive Conditions	No effluent shall contain settleable solids, floating debris, visible oil, grease, scum or sludge solids, color, or odor. Turbidity shall be below obviously visible levels.						Once per month	Visual Inspection

\*\* Effluent sampling for flow shall be continuous if hardware allows otherwise it shall be a single reading when monitoring each parameter. Flows shall be reported as a monthly average on the Discharge Monitoring Reports (DMR).

pH shall be reported as a minimum and maximum.

\*\*\* Samples shall be taken three times a month as separate grab samples or one time a month as a composite sample.

\*\*\*\* Composite samples shall consist of at least 3 sample aliquots of approximately equal volume of at least 100 milliliters each, collected at periodic intervals within a 24-hour period. If the permittee elects to take and analyze grab samples, in lieu of a composite sample then: 1) if the discharge is expected to occur on only a single day, three grab samples may be taken within a single 24-hour period or, 2) if the discharge is expected to occur on more than one day three separate grab samples shall be taken over more than one day to represent the monthly discharge. The one composite sample or three grab samples shall be representative of the discharge over the calendar month. The analysis results of each composite and grab sample shall be reported on the Discharge Monitoring Reports. The monthly average shall be reported on the Discharge Monitoring Reports.

Discharge sampling and monitoring must be representative of the discharges from the facility considering factors such as frequency, duration and intensity of precipitation runoff and operational practices that effect discharge quality.

Special Conditions

SPECIAL CONDITION 1. For the purpose of this permit, the discharges are limited to stormwater runoff and groundwater seepage, free from other waste water discharges.

SPECIAL CONDITION 2 Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge, but prior to entry into the receiving stream.

SPECIAL CONDITION 3. The Permittee shall record monitoring results on Discharge Monitoring Report (DMR) Forms using one such form for each outfall each month.

In the event that an outfall does not discharge during a monthly reporting period, the DMR Form shall be submitted with no discharge indicated.

The Permittee may choose to submit electronic DMRs (NetDMRs) instead of mailing paper DMRs to the IEPA. More information, including registration information for the NetDMR program, can be obtained on the IEPA website, <http://www.epa.state.il.us/water/net-dmr/index.html>.

The completed Discharge Monitoring Report forms shall be submitted to IEPA no later than the 15th day of the following month, unless otherwise specified by the permitting authority.

Permittees not using NetDMRs shall mail Discharge Monitoring Reports with an original signature to the IEPA at the following address:

Illinois Environmental Protection Agency  
Division of Water Pollution Control  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

Attention: Compliance Assurance Section, Mail Code # 19

SPECIAL CONDITION 4. The permittee shall notify the Agency in writing by certified mail within thirty days of abandonment, cessation, or suspension of active mining for thirty days or more unless caused by a labor dispute. During cessation or suspension of active mining, whether caused by a labor dispute or not, the permittee shall provide whatever interim impoundment, drainage diversion, and wastewater treatment is necessary to avoid violations of the Act or Subtitle D, Chapter 1.

SPECIAL CONDITION 5. The Agency has determined that the effluent limitations in this permit constitute BAT/BCT for storm water which is treated in the existing treatment facilities for purposes of this permit reissuance, and no pollution prevention plan will be required for such storm water. In addition to the chemical specific monitoring required elsewhere in this permit, the permittee shall conduct an annual inspection of the facility site to identify areas contributing to a storm water discharge associated with industrial activity, and determine whether any facility modifications have occurred which result in previously-treated storm water discharges no longer receiving treatment. If any such discharges are identified the permittee shall request a modification of this permit within 30 days after the inspection. Records of the annual inspection shall be retained by the permittee for the term of this permit and be made available to the Agency on request.

SPECIAL CONDITION 6. Mine excavation shall not be conducted within the setback zones (200 feet) of potable water supply wells pursuant to Section 14.2 of the Illinois Environmental Protection Act.

SPECIAL CONDITION 7. Oil and Hazardous Substance Liability: Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the CWA.

SPECIAL CONDITION 8. Prohibited Storm Water Discharges: This permit is not applicable to storm water discharges from the following facilities:

- a. Hazardous waste treatment, storage or disposal facilities.
- b. Storm water discharges associated with inactive mining occurring on Federal lands where an operator cannot be identified.

SPECIAL CONDITION 9. Oil and Hazardous Substance Discharge Prohibition: This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill, and does not supercede any reporting requirements for spills or releases of hazardous substances or oil.

SPECIAL CONDITION 10. Bulk Storage and Hazardous Waste Containment Area: Provisions for handling storm water from bulk storage and hazardous waste containment areas.

- a. This permit does not authorize the discharge of storm water collected in containment areas at bulk storage and hazardous waste

Special Conditions

facilities where the storm water becomes contaminated by direct contact with a spill or release of stored materials into the containment area. Such storm water should be handled properly by on-site treatment or hauling off-site for treatment and disposal.

b. Where a spill or release to a dry containment area occurs, the permittee shall institute procedures to clean up the spill in order to prevent contamination of any storm water, which subsequently collects in the containment area. Where these procedures are followed, collected storm water may be discharged; following visual inspection to assure that the storm water contains no unnatural turbidity, color, oil films, foams, settleable solids, or deposits.

c. Storage piles of salt used for deicing or other commercial or industrial purposes must be enclosed or covered to prevent exposure to precipitation (except for exposure resulting from adding or removing materials from the pile). Piles do not need to be enclosed or covered where storm water from the pile is not discharged to waters of the state or the discharges from the piles are authorized under another permit.

SPECIAL CONDITION 11: Reopener: This permit may be modified to include different discharge limitations or other requirements which are consistent with applicable laws, regulations or judicial orders. The Agency will public notice the permit modification.

SPECIAL CONDITION 12: Water Quality: Discharges covered by this permit, alone or in combination with other sources, shall not cause or contribute to a violation of any applicable water quality standard.

SPECIAL CONDITION 13: Transfer of Permits: A permit may be automatically transferred to a new permittee if:

- (a) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
- (b) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittees;
- (c) The notice includes a statement that the new permittee plans to meet the provisions of the abandonment plan submitted by the existing permittee and approved by the Agency for coverage under this permit. If a new or modified abandonment plan is submitted with the transfer request, coverage may not be automatically transferred under this permit; and
- (d) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.

SPECIAL CONDITION 14: Definitions:

**"Mining"** means the surface or underground extraction or processing of natural deposits of, gravel, sand or stone by the use of any mechanical operation or process. The term also includes the recovery or processing of the minerals from a mine refuse area. It does not include drilling for oil or natural gas.

**"Mining Activities"** means all activities on a facility which are directly in furtherance of mining, including activities before, during and after mining. The term does not include land acquisition, exploratory drilling, surveying and similar activities. The term includes, but is not limited to, the following:

- a. Preparation of land for mining activities;
- b. Construction of mine related facilities which could generate refuse, result in a discharge or have the potential to cause water pollution;
- c. Ownership or control of a mine related facility;
- d. Ownership or control of a coal storage yard or transfer facility;
- e. Generation or disposal of mine refuse;
- f. Mining;
- g. Opening a mine;
- h. Production of a mine discharge or non-point source mine discharge;
- i. Surface drainage control; and
- j. Use of acid-producing mine refuse.

**"Storm Water"** means storm water runoff, snow melt runoff, surface runoff and drainage.

NPDES PERMIT NO. IL0075965  
Construction Authorization

Authorization is hereby granted to the above designee to construct the mine and mine refuse area described as follows:

The facility is an existing approximately 26 acre shale quarry designated as the Valley View Industries, Shale Quarry II, located in Sections 16 and 17, T29N, R4E of the 3<sup>rd</sup> P.M. in Livingston County near Cornell. Pit operations include the blasting or ripping and excavation of shale. Operations result in the average discharge of 0.105 MGD of stormwater runoff and groundwater seepage from Outfall 001 to Scattering Point Creek.

The abandonment plan submitted with the application February 27, 2015 shall be executed and completed in accordance with Rule 405.109 of Subtitle D: Mine Related Water Pollution.

This Authorization is issued subject to the following Special condition(s). If such Special conditions require additional or revised facilities, satisfactory engineering plan documents must be submitted to this Agency for review and approval.

If any statement or representation in the application is found to be incorrect, this permit may be revoked and the permittee thereupon waives all rights thereunder.

The issuance of this permit (a) shall not be considered as in any manner affecting the title of the premises upon which the mine or mine refuse area is to be located; (b) does not release the permittee from any liability for damage to person or property caused by or resulting from the installation, maintenance or operation of the proposed facilities; (c) does not take into consideration the structural stability of any units or parts of the project; and (d) does not release the permittee from compliance with other applicable statutes of the State of Illinois, or with applicable local laws, regulations or ordinances.

There shall be no deviations from the approved plans and specifications unless revised plans, specifications and application shall first have been submitted to the Illinois Environmental Protection Agency and a supplemental permit issued.

The permit holder shall notify the Illinois Environmental Protection Agency (217/782-3637) immediately of any emergency at the mine or mine refuse area which causes or threatens to cause a sudden discharge of contaminants into the waters of Illinois and shall immediately undertake necessary corrective measures as required by Rule 405.111 under Chapter 1, Subtitle D: Mine Related Water Pollution of Illinois Pollution Control Board Rules and Regulations.

Final plans, specifications, application and supporting documents as submitted and approved shall constitute part of this permit and are identified in the records of the Illinois Environmental Protection Agency, by the permit number designated in the heading of this section.